

## § 239.0-1

(§§ 240.13e-102, 240.14d-102 or 240.14d-103 of this chapter), by any non-U.S. person acting as trustee with respect to securities registered on Form F-7 (§239.37 of this chapter), F-8, F-9, F-10, F-80 or SB-2 (§239.10 of this chapter), or by a Canadian issuer qualifying an offering statement pursuant to Regulation A (§230.251 et seq.) on Form 1-A (§239.90 of this chapter), or registering securities on Form SB-2.

239.43 Form F-N, appointment of agent for service of process by foreign banks and foreign insurance companies and certain of their holding companies and finance subsidiaries making public offerings of securities in the United States.

239.44-239.61 [Reserved]

239.62 Form ET, transmittal form for electronic format documents on magnetic tape or diskette to be filed on the EDGAR system.

239.63 Form ID, uniform application for access codes to file on EDGAR.

239.64 Form SE, form for submission of paper format exhibits by electronic filers.

239.65 Form TH, Notification of reliance on temporary hardship exemption.

### Subpart B—Forms Pertaining to Exemptions

239.90 Form 1-A, offering statement under Regulation A.

239.91 Form 2-A, report pursuant to Rule 257 of Regulation A.

239.92-239.143 [Reserved]

239.144 Form 144, for notice of proposed sale of securities pursuant to §230.144 of this chapter.

239.145-239.199 [Reserved]

239.200 Form 1-E, notification under Regulation E.

239.201 Form 2-E, report of sales pursuant to Rule 609 of Regulation E.

239.202-239.300 [Reserved]

239.500 Form D, notice of sales of securities under Regulation D and section 4(6) of the Securities Act of 1933.

239.701 [Reserved]

239.800 Form CB, report of sales of securities in connection with an exchange offer or a rights offering.

AUTHORITY: 15 U.S.C. 77f, 77g, 77h, 77j, 77s, 77z-2, 77sss, 78c, 78l, 78m, 78n, 78o(d), 78u-5, 78w(a), 78l(d), 79e, 79f, 79g, 79j, 79l, 79m, 79n, 79q, 79t, 80a-8, 80a-24, 80a-26, 80a-29, 80a-30, and 80a-37, unless otherwise noted. Sections 239.31, 239.32 and 239.33 are also issued under 15 U.S.C. 78l, 78m, 78o, 78w, 80a-8, 80a-29, 80a-30, 80a-37 and 12 U.S.C. 241.

Secs. 239.62, 239.63 and 239.64 also issued under secs. 6, 7, 8, 10 and 19(a) of the Securities Act (15 U.S.C. 77f, 77g, 77h, 77j, 77s(a)); secs. 3(b), 12, 13, 14, 15(d) and 23(a) of the Exchange Act (15 U.S.C. 78c(b), 78l, 78m, 78n, 78o(d), 78w(a)); secs. 5, 6, 7, 10, 12, 13, 14, 17

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and 20 of the Holding Company Act (15 U.S.C. 79e, 79f, 79g, 79j, 79l, 79m, 79n, 79q and 79t); sec. 319(a) of the Trust Indenture Act (15 U.S.C. 77sss(a)) and secs. 8, 24, 30 and 38 of the Investment Company Act (15 U.S.C. 80a-8, 80a-29 and 80a-37).

SOURCE: 33 FR 18991, Dec. 20, 1968, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 239 appear at 57 FR 36501, Aug. 13, 1992.

### § 239.0-1 Availability of forms.

(a) This part identifies and describes the forms prescribed for use under the Securities Act of 1933.

(b) Any person may obtain a copy of any form prescribed for use in this part by written request to the Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Any persons may inspect the forms at this address and at the Commission's regional and district offices. (See §200.11 of this chapter for the addresses of SEC regional and district offices.)

[46 FR 17757, Mar. 20, 1981, as amended at 47 FR 26820, June 22, 1982; 59 FR 5945, Feb. 9, 1994]

### Subpart A—Forms for Registration Statements

#### §§ 239.4—239.8 [Reserved]

#### § 239.9 Form SB-1, optional form for the registration of securities to be sold to the public by certain small business issuers.

Small business issuers, as defined in Rule 405 (17 CFR 230.405 of this chapter), may use this form to register up to \$10,000,000 of securities to be sold for cash, if they have not registered more than \$10,000,000 in securities offerings in any continuous 12-month period, including the transaction being registered. In calculating the \$10,000,000 ceiling, issuers should include all offerings which were registered under the Securities Act, other than any amounts registered on Form S-8 (§239.16b).

[58 FR 26515, May 4, 1993]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form SB-1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.